UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,229	07/29/2003	Maurizio Pilu	1509-426	4757

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER
KIANERSI, MITRA

ART UNIT	PAPER NUMBER
2145	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/628,229	PILU ET AL.
	Examiner	Art Unit	
	Mitra Kianersi	2145	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07292003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-26</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-26</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>07292003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☒ Certified copies of the priority documents have been received in Application No. <u>0217781</u>.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>07292003</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Everdell, et al. (US PGPUB 20020165961).

Claim 1: A method of viewing visual media across a network comprising the steps of: the visual indicator for universal port cards is the display of the ports available on each card. [0189]

i) storing respective local visual media data corresponding to the same visual media on first and second network elements connected to the network; (In the current invention, network device configuration data is stored in a configuration database within the network device and all changes to the configuration database are copied in the same format to an external NMS database. [0252]

ii) creating derived visual media data from the locally stored visual media data with a processing means of the first network element; (The NMS client notifies the NMS server that the device is now to be managed on-line. The NMS server first reconciles the physical configuration created by the network manager, stored in the NMS database against the physical configuration of the actual network device, and stored in the internal configuration database. [0260])

iii) automatically generating a control data set representing the derived visual data and corresponding to operations to be performed by a processing means to create the derived visual media data; (creation of user profile LMOs are stored in the NMS database, any NMS server capable of connecting to the NMS database--that is, any NMS server in the network--may access the tables and generate a user LMO. [0362])

iv) transmitting the control data set from the first network element to the second

network element via the network; (After provisioning services within a first network

device, the network manager may open a connection with a second network device to

provision services within that second network device. If the NMS server currently

connected to the OSS client is capable of establishing a connection with the

second network device, then the network manager may simply open a connection to

the second network device. If the NMS server currently connected to the OSS

client is not capable of establishing a connection with the second network

device, then the network manager closes the connections with the NMS server and

then opens connections with a second NMS server and the second network device.
[0457])

v)recreating the derived visual data with a processing means of the second network

element by use of the control data set; (the custom navigator then takes a "snap shot"

of the metadata necessary to recreate the screen and the current configuration

position . If the administrator now selects this screen mark while another tab is

displayed, the custom navigator uses the metadata associated with the screen mark to

present the screen shot displayed in FIG. 5s to the administrator updated with any

other configuration changes made subsequent to the creation of the screen mark.
[0243])

vi) displaying the local visual media data in accordance with the derived visual media

data upon viewing means of the second network element. (If the administrator now

selects this screen mark while another tab is displayed, the custom navigator

uses the metadata associated with the screen mark to present the screen shot

displayed in FIG. 5s to the administrator updated with any other configuration

changes made subsequent to the creation of the screen mark. [0243])

Claim 2: (the custom navigator automatically presents Virtual Connection wizard 952

(FIG. 5w) the custom navigator allows the administrator to create unique screen marks.
[0243]

Claim 3: To create a custom wizard, the administrator begins by selecting a Custom

Wizard menu button 960 (FIG. 4y) to cause a pull-down menu 960a to appear and then

selecting a Create Wizard 960b option from the pull-down menu. The administrator

then begins using the particular sequence of screens that they wish to turn into a

custom wizard and the custom wizard tool records this sequence of screens. [0246]

and Instead of implementing a change to a distributed application across the

entire computer system, an evaluation mode allows the SMS to implement the

change in only a portion of the computer system. [0552]

Claim 4: Maintaining a primary or master repository of data within each network device

ensures that the NMS and network device are always synchronized with respect to

the state of the configuration. (Replicating changes made to the primary database

within the network device to any secondary data repositories, for example, NMS

database 61, ensures that all secondary data sources are quickly updated and remain

in lockstep synchronization. [0126])

Claim 5: (This requires customers to stock more hardware than in a design with

identical backup and primary elements. (Users typically maintain extra hardware in the

case of a failure. [0613])

Claim 6: (the administrator may start a custom wizard from any screen within GUI 895,

[0294])

Claim7: (The status window may also include a Modules tab 936 (FIG. 4t), which

includes an inventory of the available modules in the network device and

various details about those modules such as where they are located (e.g., shelf

and slot, back or front). [0193])

Claim 8: (all paths within each stream carry data transmitted according to the ATM protocol. (Each path within a stream may carry data transmitted according to a different protocol. [0430])

Claim 9: (the data plane can again transfer network data. Having the backup be local reduces recovery time. The backup could be stored remotely on another board but the recovery time would be increased by the amount of time required to download the information from the remote location. [0564])

Claim 10: This claim teaches the same limitation as claim 1 and is rejected by the same rational.

Claim 11: This claim teaches the same limitation as claim 1 and is rejected by the same rational.

Claim 12: (a smaller chassis/less space, [0612])

Claim 13: This claim teaches the same limitation as claim 4 and is rejected by the same rational.

Claim 14: (The OSS is responsible for consolidating a diverse set of element/network management systems and third-party applications into a single system that is used, for example, to detect and resolve network faults (Fault Management), [0433])

Claim 15: This claim teaches the same limitation as claim 1 and is rejected by the same rational.

Claim 16: when the NMS server is notified that a network device is to be managed off-line, the NMS server may copy the NMS database data to a temporary NMS database and store all off-line configuration changes there

Claim 17: This claim teaches the same limitation as claim 4 and is rejected by the same rational.

Claim 18: (the user may select a Collections option 977a from a view pull-down menu 977b to display list 976c of available collections. List 976c may include collections pre-defined by other users (e.g., senior network administrator) and/or custom collections previously created by the user. [0304])

Claim 19: This claim teaches the same limitation as claim 6 and is rejected by the same rational.

Claim 20: the state machine will transition to ONLINE state 3 –[0750])

Claim 21: the user may be prompted to input the new IP address for each network device corresponding to a changed IP address, also allows for dynamic authentication over time as the IP addresses assigned to network devices are changed. [0912]

Claim 22: This claim teaches the same limitation as claim 1 and is rejected by the same rational.

Claim 23: This claim teaches the same limitation as claim 16 and is rejected by the same rational.

Claim 24: (Templates are metadata and include scripts of instructions and parameters. (instructions within templates are written in ASCII text to be human readable. There are three general categories of templates, provisioning templates, control templates and batch templates. [0444])

Claim 25: (logical model 280 (FIG. 3b) may be provided as an input to code generation system 336 in order to generate database views and APIs for NMS programs and network device programs to synchronize the integration interfaces between those programs. Where a telecommunications network includes multiple similar network devices, the same installation kit may be used to install software on each network device to provide synchronization across the network, networks include multiple different network devices as well as multiple similar network devices. A logical model

may be created for each different type of network device and a different installation kit may be implemented on each different type of network device. [0177]) and Instead, of providing a logical model (e.g., 280, FIG. 3b) that represents a single network device, a logical model may be provided that represents multiple different managed devices--that is, multiple network devices and the relationship between the network devices. Multiple logical models 280 and 887a-887n--representing multiple network devices--may be provided, including relationships with other logical models, providing multiple logical models or one logical model is representing multiple network devices and their relationships as an input(s) to the code generation system allows for synchronization of NMS programs and network device programs (e.g., 901a-901n) across an entire network. The code generation system in combination with one or more logical models provides a powerful tool for synchronizing distributed telecommunication network applications. [0178]

Claim 26: (Referring again to FIG. 2a, for increased availability, the network device may include a backup configuration database 42' maintained by a separate, backup centralized processor card (e.g., 12, FIG. 1; 543, FIG. 35). Any changes to configuration database 42 are replicated to backup configuration database 42'. If the primary centralized, processor card experiences a failure or error, the backup centralized processor card may be switched over to become the primary processor and configuration database 42' may be used to keep the network device operational. In addition, any changes to configuration database 42 may be written immediately to flash persistent memory 853 which may also be located on the primary centralized processor card or on another card, and similarly, any changes to backup configuration database 42' may be written immediately to flash persistent memory 853' which may also be located on the backup centralized processor card or another card. These flash-based configuration files protect against loss of data during power failures. In the unlikely event that all copies of the database within the network device are unusable, the data stored in the NMS database may be downloaded to the network device. [0128])

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Kianersi whose telephone number is (571) 272-3915. The examiner can normally be reached on 8:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cordone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mitra Kianersi
May/08/2007

JASON CARDONE
SUPERVISORY PATENT EXAMINER